

From: James Stilwell [James@msjlawfirm.com]
Sent: Thursday, October 28, 2010 11:48 AM
To: Tommy Williams; Janet Stieben
Cc: Jason Baxter; rjfs-archive-4ed@raymondjames.com; compliance@woodforestfinancial.com
Subject: RUD - Beaumont Affirms
Attachments: Beaumont Opinion - Affirmed.pdf

Sen. Williams:

I thought you might be interested in seeing the attached opinion issued today by the Beaumont Court of Appeals, affirming the prior trial victory in the RUD case stemming from the May 8, 2010 election.

James Stilwell
Martin, Stilwell & Jones LLP
1400 Woodloch Forest Drive, Suite 590
The Woodlands, Texas 77380
P: 281-419-6200 | F: 281-419-0250
james@msjlawfirm.com

-----Original Message-----

From: Tommy Williams [mailto:tommy.williams@woodforestfinancial.com]
Sent: Wednesday, September 15, 2010 3:14 PM
To: James Stilwell
Cc: Jason Baxter; rjfs-archive-4ed@raymondjames.com; compliance@woodforestfinancial.com
Subject: RE: Township 6/23

Jason:

Why don't you get a messenger to deliver this stuff directly to the attorney Stilwell spoke to.

-----Original Message-----

From: James Stilwell [mailto:james@msjlawfirm.com]
Sent: Wednesday, September 15, 2010 2:50 PM
To: tommy.williams@woodforestfinancial.com; btough@toughlawfirm.net;
tommy.williams@senate.state.tx.us
Cc: Jason.Baxter@senate.state.tx.us; Janet.Stieben@senate.state.tx.us; rjfs-archive-4ed@raymondjames.com; compliance@woodforestfinancial.com
Subject: Re: Township 6/23

Sen. Williams:

I spoke directly with the General Counsel at SOS (Rep. Eissler spoke to him and gave me his direct line) and gave him some verbal background. He gave me suggestions on the package and asked me to send it to the head of the Elections division CC'd to him, and stated that if the docs back the oral description I gave him, he would move it to the OAG, like you describe. I also cc'd you and Rep. Eissler with the package (I will double check which address I sent it to -- I am hoping your office has already received it). I will be happy to get another package together for Jason Baxter so that he can directly take it to whomever you believe is appropriate.

Many thanks for all of your help, and I will be in touch with Jason shortly.

James H. Stilwell

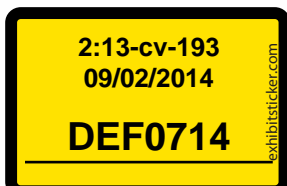
----- Original Message -----

From: Tommy Williams <tommy.williams@woodforestfinancial.com>

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TX_00203089

TEX00203089



To: James Stilwell; Bruce Tough <btough@toughlawfirm.net>
Cc: Jason Baxter <Jason.Baxter@senate.state.tx.us>; Janet Stieben
<Janet.Stieben@senate.state.tx.us>; rjfs-archive-4ed@raymondjames.com <rjfs-archive-4ed@raymondjames.com>; compliance@woodforestfinancial.com
<compliance@woodforestfinancial.com>
Sent: Wed Sep 15 14:34:29 2010
Subject: RE: Township 6/23

James Stilwell & Bruce Tough:

A few moments ago I concluded a conference call with the attorney general's office on the voter fraud in the 23 June township election.

The appropriate procedure to follow under OAG guidelines is as follows:

1. Submit your complaint to the Secretary of State's Office. Jason Baxter in my Capitol Office can assist you in making sure this is handed off to the right person. Address your complaint to the Secretary of State, send your complaint to Jason and he will walk it over and put it in the right person's hands at the SOS office.
2. After reviewing the complaint and making a determination voter fraud may have been committed, the SOS office will forward the complaint to the OAG for prosecution.
3. If you have any questions please do not hesitate to contact Jason Baxter in my Capitol Office 512-463-0104.

We support the vigorous enforcement of our elections laws. We will monitor the progress of this matter and keep you informed.

Thank you for bringing this matter to our attention. While I am happy you brought this to my attention I would ask you to contact me through my Senate office at tommy.williams@senate.state.tx.us on matters of official state business.

Regards,
tommy

-----Original Message-----

From: James Stilwell [mailto:james@msjlawfirm.com]
Sent: Monday, June 28, 2010 12:24 PM
To: Bruce Tough
Subject: RE: Township 6/23

Bruce:

Nine voters using the address "9333 Six Pines Drive" voted in the Township election. These nine voters' registration at that address was fraudulent

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that is they swore that they resided at that address (a hotel) in order to get a voter's registration card at that address; however not one of these nine voters live at that address. None of them properly registered to vote.

If you do not properly register to vote at least 30 days before an election, then you cannot vote in the election. The nine voters' votes in the Township election were illegitimate. It was morally wrong (based on lies under oath); ethically wrong (same) and legally wrong (same). You cannot vote where you do not live, and cannot get around that requirement by register to vote by giving false information. I believe that the Township should not tolerate people casting illegal votes in the Township election. My request was for the Township to have an agenda item for discussion about requesting the District Attorney's office to take action.

The nine individuals are Sybil Doyle, Peter J. Goeddertz, Adrian Heath, James Jenkins, Richard McDuffee, Thomas Curry, Bill Berntsen, Benjamin Allison and Robert Allison.

Here are the specifics: In order to vote in the May 8, 2010 election, a voter had to submit a registration application on or before April 8, 2010 (thirty days prior to election day).

Texas Election Code §13.143 (a), (b) &

(e). A Texas Voter Registration Application requires a person to identify

a residence address. It also requires the person completing the application to state "I understand that giving false information to procure a voter registration is perjury and a crime under state and federal law." Under Section 13.007 of the Texas Election Code, a person commits a criminal offense if the person knowingly makes a false statement on a registration application.

According to the certified records from Carol Gaultney (Elections Administrator and Voter Registrar for Montgomery County) (Plaintiffs'

Exhibit 2 at trial) the nine individuals swore under oath on their voter registration applications that they resided at the hotel at 9333 Six Pines Drive, The Woodlands, Texas 77380 (an address inside the boundaries of the Township). The registration applications were made on the following dates:

- a. Sybil Doyle: signed under oath on 4/1/2010
- b. Peter J. Goeddertz: signed under oath on 3/31/2010
- c. Adrian Heath: signed under oath on 3/5/2010
- d. James Jenkins: signed under oath on 4/5/2010
- e. Richard McDuffee: signed under oath on 4/5/2010
- f. Thomas Curry: signed under oath on 4/1/2010
- g. Bill Berntsen: signed under oath on 4/1/2010
- h. Benjamin Allison: signed under oath on 4/6/2010
- i. Robert Allison: signed under oath on 4/6/2010

According to the guest registration records subpoenaed from the Residence Inn Marriott located at 9333 Six Pines Drive, NONE of these ten individuals was a guest at the hotel in 2010 on or before the date each signed the voter registration application. When they signed the voter registration applications swearing that the hotel was their residence, they submitted false information. In fact, per the subpoenaed records, none of these individuals stayed at the hotel in the week prior to or following their voter registration, and other than Thomas Curry (who spent a single night at the hotel on April 30), none stayed at the hotel during the month prior to or following their registration change. As of thirty days prior to the election day, none of these individuals could legally swear that they were residents at the hotel's address, and therefore none of them legally registered to vote.

The hotel's guest registration records show:

a. NONE of them were guests at the hotel on or around the date that they swore on their voters registration cards that they resided at the hotel, or for a month thereafter.

b. That Sybil Doyle did not stay at the hotel during 2010 at any time prior to the election.

c. That 4 of them (based on the records plus trial testimony) (The two

Allison brothers, Berntsen, and Curry) stayed in the hotel in one room together on May 7, the night before the election, and checked out on May 8, the day of the election.

d. That 4 of them (based on the records plus trial testimony)(Jenkins,

Heath, Goeddertz and McDuffee) stayed two nights in a single room - the night of May 7, and the night of May 8, before checking out on May 9.

e. That based on trial testimony, those who stayed at the hotel

around

May 7 and May 8 brought one or two nights' clothing, toiletries, and perhaps a book or laptop computer with them to the hotel - items all consistent with a temporary one or two night stay. The day after the election they were all gone from the hotel, and none was a guest at the hotel again until after the RUD lawsuit was filed.

A one or two night temporary stay in a hotel by a person bringing minimal belongings does not a residence make.

These individuals are not homeless. They live at property elsewhere in Montgomery County, Texas (in fact, many of them identified their homes as their "mailing address" on their voter's registration cards). Most of these individuals declared homesteads here:

- A. Sybil Doyle declared 16728 Bending Oaks, Conroe, Texas 77385 as her homestead;
- B. Peter J. Goeddertz declared 15910 Hartman Road, Magnolia, Texas 77355 as his homestead;
- C. Adrian Heath declared 43 W. Stony Bridge Court, Spring, Texas 77381 as his homestead;
- D. James Jenkins declared 16 Pastoral Pond Circle, Spring, Texas 77380 as his homestead;
- E. Richard McDuffee declared 27907 Hansons Court, Spring, Texas 77386 as his homestead;
- F. Thomas Curry declared 13238 Stonecrest Lane, Conroe, Texas 77302 as his homestead; and
- G. Bill Berntsen declared 32 N. Rainforest Court, The Woodlands, Texas 77380 as his homestead.
- H. Robert and Benjamin Allison lived with their parents at the parent's homestead at 14993 Boyd Lane, Conroe, Texas 77306.

The bottom line is that nine people submitted fraudulent voter's registration applications and then voted in the Township election. It appears that in both making out the registration application and in voting in the Township election, that the nine individuals may have committed crimes. Accordingly, the Township should ask the District Attorney's office to look into the matter and take action on any acts they determine were criminal.

Please let me know if this suffices for the outline, or if you would like something different.

Many thanks,
James H. Stilwell

-----Original Message-----

From: Bruce Tough [mailto:btough@toughlawfirm.net]
Sent: Monday, June 28, 2010 11:48 AM
To: James Stilwell
Subject: RE: Township 6/23

James,

I am working this from my end. Can you please send me an outline of the Township issues with the voters who apparently fraudulently voted in our election? I have the exhibits from the meeting. There was a request from a director to look into this issue. Thank you for your assistance and bringing this matter to our attention.

Bruce C. Tough
Chairman

Attorney at Law

819 Crossbridge Drive
Spring, Texas 77373
(281) 681-0808 - Telephone
(281) 681-0809 - Facsimile
btough@toughlawfirm.net

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Thank you for your cooperation.